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ORDINANCE NO. 3781

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECDC 17.40.020(D)(3) NONCONFORMING BUILDINGS AND/OR STRUCTURES TO CORRECT A SCRIVENER'S ERROR, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the City Council approved Ordinance 3696 which provides for intrusions such as bay windows in the non-conforming setback, and

WHEREAS, this ordinance was originally brought forward to address architectural detail added in both side yard and street setbacks, and

WHEREAS, the staff's presentation to the Council Committee, to the Planning Board, and to the full Council intended to permit features such as bay windows to "encroach into a non-conforming setback not more than thirty (30) inches," and

WHEREAS, on the recommendation of the City Attorney, the language was amended to include another qualifier "... or one-half the distance from the property line" in order to avoid impacts to adjacent properties from such intrusion in side yard setbacks, and

WHEREAS, the original purpose of the amendment has been subverted by including a limitation to protect adjacent properties in a provision that is applicable only to nonconforming setbacks adjacent to access easements and public rights of way, and

WHEREAS, the City Council deems it to be appropriate to correct this error as within the range of alternatives considered by the Council and at public hearing, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. ECDC 17.40.020(D)(3) is hereby amended to read as follows:

17.40.020 Nonconforming buildings and/or structures.

...

D. Maintenance and alterations.

3. In an effort to provide modular relief, minor architectural improvements in commercial and multi-family zones may encroach into the nonconforming setback adjacent to an access easement or public right of way not more than 30 inches. Minor architectural improvements may also be permitted in nonconforming side or rear yard setbacks only if they intrude not more than 30 inches nor one-half of the distance to the property line, whichever is less." "Minor architectural improvements" are defined as and limited to bay windows, eaves, chimneys and architectural detail such as cornices, medallions and decorative trim. Such improvements shall be required to obtain architectural design review. Nothing herein shall be interpreted to exempt such improvements in compliance with the State Building and Fire Codes.

...

Section 2. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:



MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:

Sandra S. Chase
CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY W. Scott Snyder
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	01-29-2010
PASSED BY THE CITY COUNCIL:	02-02-2010
PUBLISHED:	02-07-2010
EFFECTIVE DATE:	02-12-2010
ORDINANCE NO. <u>3781</u>	

SUMMARY OF ORDINANCE NO. 3781

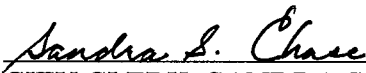
of the City of Edmonds, Washington

On the 2nd day of February, 2010, the City Council of the City of Edmonds, passed Ordinance No. 3781. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECDC 17.40.020(D)(3) NONCONFORMING BUILDINGS AND/OR STRUCTURES TO CORRECT A SCRIVENER'S ERROR, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 3rd day of February, 2010.


CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.



SUMMARY OF ORDINANCE NO. 3781

of the City of Edmonds, Washington
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AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECDC 17.40.020(D)(3) NON-CONFORMING BUILDINGS AND/OR STRUCTURES TO CORRECT A SCRIVENER'S ERROR, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.
DATED this 3rd day of February, 2010.

CITY CLERK, SANDRA S. CHASE

Published: February 7, 2010.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance No. 3781

Amending the Provisions of ECDC 17.40.020(D)(3)

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

February 07, 2010

and that said newspaper was regularly distributed to its subscribers during all of said period.

Jody Enohl

Principal Clerk

Subscribed and sworn to before me this

8th

day of

February, 2010

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

RECEIVED

FEB 16 2010

EDMONDS CITY CLERK

Account Name: City of Edmonds

Account Number: 101416

Order Number: 0001684512

